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Centers, Inc. and GNC Holdings, Inc.  
(erroneously named as General Holdings,  
Inc.)*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JENNA KASKORKIS and KIM  
CARTER, individually and on behalf  
of all other similarly situated,

Plaintiffs,

v.

GENERAL NUTRITION  
CENTERS, INC., a Delaware  
Corporation, GENERAL  
HOLDINGS, INC., a Delaware  
Corporation,

Defendants.

Case No. 3:16-cv-00990-WQH-AGS

JUDGE: William Q. Hayes

**JOINT STATUS REPORT**

Filed: April 22, 2016

1 Pursuant to the Court's March 4, 2019, Order (Dkt. No. 107), Plaintiffs Jenna  
2 Kaskorkis and Kim Carter ("Plaintiffs"), and Defendants General Nutrition Centers,  
3 Inc. and GNC Holdings, Inc. (erroneously named as General Holdings, Inc.)  
4 ("Defendants"), by and through their respective counsel, submit this Joint Status  
5 Report and plan for the resolution of this action, and state as follows:

6 1. On March 4, 2019, the Court entered an Order approving the parties'  
7 joint stipulation requesting a stay in this matter so they could continue to finalize the  
8 full settlement agreement of which they had exchanged drafts. *See* Dkt. No. 107. In  
9 that Order, the Court stayed this matter until March 28, 2019, and directed the parties  
10 to, on or before March 28, 2019, file any motions for preliminary approval, or a joint  
11 status report proposing a plan for the efficient resolution of this action. The Court  
12 also stated that it would not consider further extensions absent a substantive showing  
13 of good cause or excusable neglect.

14 2. Accordingly, the parties report that they have have continued to work  
15 diligently and cooperatively and have made substantial additional progress toward a  
16 settlement. In particular, the parties have reached agreement on all material points  
17 of the settlement and have a near final settlement agreement. In addition, the parties  
18 are in the process of soliciting and reviewing bids from settlement administrators for  
19 administering the settlement. The parties have held multiple telephone conferences  
20 to discuss the remaining details of the settlement and are also in the process of  
21 finalizing the forms of the class notice, claim form (which they expect to fully finalize  
22 with a notice administration expert), preliminary approval order, and final approval  
23 order.

24 3. The parties anticipate that as part of the settlement, they will be moving  
25 to file a consolidated amended complaint in the action pending in Western District  
26 of Pennsylvania, *Gennock v. General Nutrition Centers, Inc. and GNC Holdings,*  
27 *Inc.*, No. 2:16-cv-00633-MRH (W.D. Pa.), and seeking to stay this and the other  
28

1 action pending before this court, *Harrison v. General Nutrition Centers, Inc. and*  
 2 *GNC Holdings, Inc.*, No. 3:16-cv-03086-WQH-AGS (S.D. Cal.). The parties have  
 3 agreed to dismiss this and the *Harrison* action in the event and once a Judgment  
 4 finally approving the Settlement (filed in the *Gennock* action) is Final (*i.e.* past any  
 5 challenges).

6 4. The parties expect to file the Settlement along with a Motion for  
 7 Preliminary Approval of the Settlement on or before May 15, 2019.

8 5. In light of this progress, the parties jointly request that the Court  
 9 continue the stay in this matter, and set a Status Conference after May 15, 2019, so  
 10 that the Parties can update the Court on the date as to the status of the settlement  
 11 proceedings in the *Gennock* action. The parties shall, on or before one week prior to  
 12 the Status Conference, provide an update as to the status of the Settlement.

13 Respectfully submitted,

14  
 15 Dated: March 28, 2019

**AHDOOT & WOLFSON, PC**

16 By: /s/ Robert Ahdoot  
 17 Trenton R. Kashima  
 18 rahdoot@ahdootwolfson.com

19 *Attorneys for Plaintiffs and the*  
 20 *Putative Classes*

21 Dated: March 28, 2019

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22 By: /s/ Sean M. Sullivan  
 23 Sean M. Sullivan  
 24 seansullivan@dwt.com

25 *Attorneys for Defendants*  
 26 *General Nutrition Centers, Inc. and*  
 27 *GNC Holdings, Inc. (erroneously*  
 28 *named as General Holdings, Inc.)*

ATTESTATION OF FILER

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual of the United States District Court for the Southern District of California, the undersigned hereby attests that all parties have concurred in the filing of this motion.

/s/ Sean M. Sullivan

Sean M. Sullivan